IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

WP(C).No. 17456 of 2007(C)

PETITIONER:

C.CHELLAPPAN, S/O. CHOTHY,
AGED 63 YEARS, RETIRED BOAT DRIVER, K.S.R.T.C.,
FERRY SERVICE, UNDER DISTRICT TRANSPORT OFFICE,
ERNAKULAM, RESIDING AT THUNDIYIL HOUSE,
KALLISSERY, PANDANADU NORTH P.O., CHENGANNUR.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS:
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1. K.S.R.T.C., REP. BY
MANAGING DIRECTOR, TRANSPORT BHAVAN,
THIRUVANANTHAPURAM.

2. THE MANAGING DIRECTOR,
K.S.R.T.C., TRANSPORT BHAVAN, THIRUVANANTHAPURAM.

3. THE DISTRICT TRANSPORT OFFICER,
K.S.R.T.C., ERNAKULAM.

BY ADV. SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 17456 OF 2007 C

Dated this the 2nd July, 2007

JUDGMENT

Prayer in the Writ Petition is for a direction to disburse the amount due to him as pension contribution with interest, which was retained by the respondents while he was working in the Stater Water Transport Department. According to him, he was working on deputation in KSRTC Ferry Service as a Boat Driver, he retired from service on superannuation on 28.2.1999. An amount of Rs.18,208/= was retained by the respondents as pension contribution, since that amount was not paid by the State Water Transport Department to the respondents which is evident from Ext.P1 Gratuity Payment Order itself. This is the case of the petitioner.

2. I heard the learned standing counsel appearing on behalf of the respondent Corporation also. He submits that the moment the amount is received from the State Water transport Department, the same will immediately be disbursed to the

petitioner. In such circumstances, the Writ Petition is disposed of as follows:

If the amount of Rs.18,208/= has already been received from the State Water Transport Department by the first respondent, the second respondent will disburse the entire amount to the petitioner within a period of two weeks from the date of receipt of a copy of this Judgment. In case the amount has not been received so far, the second respondent will disburse the amount of Rs.18,208/= to the petitioner within a period of two weeks from the date of receipt of the same by the first respondent.

K. M. JOSEPH, JUDGE

kbk.